

#### REMARKS

The Examiner has objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. Applicants have amended the specification on page 6, lines 24-30 to provide such antecedent basis.

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, the claims have been amended for clarity.

The Examiner has finally rejected claims 1-13, 16 and 17 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0136533 to Ando et al. in view of U.S. Patent Application Publication No. 2003/0204848 to Cheng et al. The Examiner has further rejected claims 14 and 15 under 35 U.S.C. 103(a) as being unpatentable over Ando et al. in view of Cheng et al., and further in view of U.S. Patent Application Publication No. 2003/0012562 to Lawandy et al.

The Ando et al. publication discloses an optical disc for storing moving pictures with text information and apparatus using the disc, in which text information is recorded onto an optical disc together with the corresponding motion pictures.

The Cheng et al. publication discloses managing record events, in which a user may indicate a desire to record all programs having a particular attribute, and the apparatus searches the (EPG) guide data to find these programs and schedule (for recording) those programs matching the particular attribute.

The Examiner has indicated "Ando discloses the PRM-TXTI and IT-TXT as recorded search instruction (see Ando, ¶0017 to ¶0025); the "recorded" herein including "pre-recorded" in amended claimed as "A search instruction is recorded on the recordable medium" disclosed in specification of invention at ¶0007; and in the reproduction unit includes the retrieving section compares the inputted text information with PRM-TXTI which is recorded in the PGI table is stored on the optical disc; see Ando, ¶0034) meets the limitation regarding to" comparing the pre-recorded search instruction on the recordable medium with program information on the receivable programs."

Applicants submit that while Ando et al. discloses recording text information on the recordable medium, this text information is based on the program information having been recorded on the recordable medium. As such, in the reproduction unit, this text information may be used to search for particular portions of the recorded program information. This is described in Ando et al. on page 6, paragraph [0122]:

"[0122] The primary text information determination unit 101a generates, as primary text information, information (video-recording start date and time, source name, and TV channel number) regarding video-recording from the tuner 108, the information sent during a blanking period, electronic TV guide information (as found in satellite broadcasting) and so on."

This information may be input by the user in selecting a program to be recorded. Then, when the video program is to be recorded, as noted on page 7, paragraph [135]:

"[0135] First, the AV signal inputted from the tuner 108 or AV input section is A/D converted by the A/D converter 201. The video signal is inputted to the video encoder 202. The audio signal is inputted to the audio encoder 203. The tuner 108 inputs the closed caption signal or the text signal for the subtitle data in teletext or the like to the SP encoder 204. The text information other than the subtitle data is transferred to the main MPU section 101. When receiving the text information other than the subtitles, the main MPU section 101 stores the text information in the text buffer 101b temporarily and records it at the end of the video-recording.";

and paragraph [0142]:

"[0142] At the end of the video-recording, the main MPU section 101 records the text information reordered in the text buffer 101b into the area (see FIG. 4(a), (b), and (d)) for the item text (IT\_TXT) in the text data language unit TXTDT\_LU in the text data manager in VMGI (step ST6)."

It should be noted that there are no "search instructions" being recorded. Rather, text information is recorded corresponding to the various packets of the video program being recorded, and further, this text information is being recorded contemporaneously with the video program. In the playback process as described in Ando et al. beginning on page 7, paragraph [0146], and described in particular on page 8, paragraphs [0165]-[0169], the user inputs the search instructions which causes the playback apparatus to search the previously stored text information in order to find the portion(s) of the previously recorded video program(s) which satisfy the search instructions input by the user.

The Examiner indicates that Cheng et al. "illustrates other record events [232] as a smart record event wherein the user indicates that he or she desires to record all programs that have a "particular one of the receivable programs matches the recorded search instruction stored in the recordable medium". (Cheng, ¶0035,10036)."

Applicants would like to note that Cheng et al. actually discloses a system in which a user may indicate a desire to record all programs having a particular attribute, and the apparatus searches the (EPG) guide data based on the user-inputted program attribute, to find these programs and schedule (for recording) those programs matching the particular attribute.

However, Applicants submit that Cheng et al. does not disclose the desired program attribute being search information pre-recorded on the recordable medium.

In particular, Applicants submit that the combination of Ando et al. and Cheng et al. would yield a system that searches guide data based on user-inputted program attributes to find these programs and schedule (for recording) those programs matching the particular attributes; and when recording these programs, to also record text data enabling the user to search the text data of these recorded programs for accessing particular portions of the recorded programs.

However, Applicants submit that the combination of Ando et al. and Cheng et al. neither discloses nor suggests that user-desired search attributes should be pre-recorded on the recordable

medium and that the apparatus retrieves these search attributes from the recordable medium in order to search for programs to be recorded on the recordable medium.

The Lawandy et al. publication discloses marking and authenticating articles, in which paragraph [0088] therein states:

"The markings 432 recorded in the coating 450 are preferably visible to the unaided human eye when illuminated with suitable light. Therefore, the marking 432 can provide for clear identification of the article 420 by means of display of information that may be interpreted by a user, such as a logo. In another embodiment, such as in the case of optical media 420, a marking 432 provided on the read side can be used to display identity information, such as a digital watermark 435, wherein other necessary information, such as an instruction for a user, may remain intact on the non-read side of the optical media 420."

Applicants submit that while Lawandy et al. discloses a record carrier containing "markings", there is no disclosure or suggestion that these markings comprise the pre-recorded search instructions, as explicitly claimed in claim 14.

The Examiner states "In this case, the reason for combining references of Ando and Cheng with Lawandy et al. disclose the limitation of "a record carrier containing "markings", wherein comprises the pre-recorded search instructions ". Fig. 4 of Lawandy illustrates an optical disc 420 containing a marking 432 used to display identify information 435 or wherein other necessary information, such as an instruction for a user (i.e. the pre-recorded search instructions as taught by Ando), may remain intact on the non-read side of the optical media 420; see Lawandy, ¶0088)."

Applicants submit that this is "circular logic". In particular, there is no disclosure or suggestion in Ando et al. nor Cheng et al. of a recordable medium having pre-recorded search instructions. Hence, there is no pre-recorded search instructions that Lawandy et al. may use to generate the visible markings.

In view of the above, Applicants believe that the subject invention, as claimed, is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-17, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by           /Edward W. Goodman/            
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